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October 16, 2023

Via ECF:

The Honorable Joan M. Azrack, U.S.D.J.

United States District Court
Eastern District of New York
Long Island Courthouse
100 Federal Plaza
Central Islip, NY 11722

Re: **Almendares v. Waldevaia Inc. et. al.**
Civil Docket No.: 2:23-cv-06827-JMA-ARL

Dear Judge Azrack:

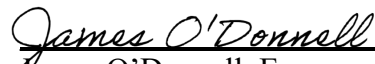
Our office represents the Plaintiff in this FLSA action, and we respectfully submit this letter motion on behalf of all parties to respectfully request that the Defendants' time to Answer or otherwise respond to Plaintiff's Complaint be extended for thirty (30) days.

Defendants WALDEVAIA INC. d/b/a BOCCONCINI DELI & PIZZA and STAGE DELI & PIZZA INC. d/b/a STAGE DOOR EAST, JOSEPH WALDNER and MICHAEL RUTIGLIANO, as individuals were duly served with process of Plaintiff's Summons and Complaint via personal service on September 26, 2023 and was therefore required to appear, interpose an answer or respond by October 17, 2023. The corporate defendants were further served with process via Secretary of State on September 27, 2023 and was therefore required to appear, interpose an answer or respond by October 18, 2023.

Although the Defendants have not yet formally responded to the Complaint or appeared in this matter, Defendants have reached out to our office through their accountant. Defendants have provided documents for our review and have expressed an interest in trying to resolve this case. Therefore, we respectfully ask that the Defendants time to respond to complaint be extended to 30 days while we discuss the possibility of early resolution. As such, we respectfully request that the time for either Defendants to respond to the Complaint or for Plaintiff to submit a further status report be extended to November 17, 2023.

We thank The Court for its kind consideration on this matter, and we remain available to provide any additional information.

Respectfully submitted,


James O'Donnell, Esq.

CC: *(via electronic mail):*

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